

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION**

ORDER R7-2019-0008

WASTE DISCHARGE REQUIREMENTS  
FOR  
DEPIERRO DEVELOPMENT CORPORATION, OWNER/OPERATOR  
SELF SERVICE LAUNDRY  
LAUNDROMAT WASTEWATER DISPOSAL FACILITY  
Twentynine Palms – San Bernardino County

The California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board) finds that:

1. DePierro Development Corporation (Discharger), 57407 Twentynine Palms Highway, Suite A, Yucca Valley, CA 92284, is the owner of a proposed laundromat wastewater disposal facility called Self Service Laundry (Facility). The Facility is assigned California Integrated Water Quality System (CIWQS) No. 7A360126001.
2. The Facility will be located at 6543 Cholla Avenue, Twentynine Palms, California, 92277 (Northeast Quarter of Section 32, Township 1 North, Range 9 East, San Bernardino Base and Meridian; Assessor's Parcel Number 0617-115-27-0000.) The Facility location is shown in **Attachment A** – Vicinity Map, which is incorporated herein by reference and made part of this Order.
3. On July 23, 2018, the Discharger submitted an application and Report of Waste Discharge (ROWD) applying for waste discharge requirements for the Facility.
4. This Order establishes the waste discharge requirements (WDRs) for the Facility.

**Facility Operations and Wastewater Disposal**

5. The Facility footprint is 0.30 acres (13,350 square feet), with 4,502 square feet dedicated to the building structure and 6,630 square feet dedicated to the parking lot. The Discharger is in the process of converting the existing building on the site, which used to serve as a church, into a laundromat.
6. The laundromat will be the only commercial laundromat in operation in the City of Twentynine Palms. Because the city does not have sewage collection system, the Discharger plans to discharge wastewater to a septic system.
7. The Facility is designed for 36 washing machines, with an average wastewater generation of 192 gallons per day per machine, or 6912 gallons total per day for all machines.
8. Wastewater generated from the washing machines will drain into troughs, and the discharge will then pass through double screens with 3/16-inch diameter openings, which will capture lint and remove it from the discharge stream. The discharge will next be collected at a sump, which will then be pumped into a holding tank upstream of a Laundry Water Recycle System (LWRS). The LWRS will reclaim 80% of the discharge for re-use in the laundry process and with the remainder as backwash water. The LWRS provides an energy-efficient, automated system that saves water, energy and time. In addition, it eliminates the use of hazardous chemicals and reduces system maintenance.

9. The backwash will discharge to a septic tank where sludge settles to the bottom, then will pass into the distribution box and into three 6-foot-diameter, 15-feet-deep vertical seepage pits, as shown in **Attachment B** – Laundry Waste/septic System Schematic, which is incorporated herein by reference and made part of this Order.
10. The Facility proposes to discharge an estimated average of 1,382 gallons per day of wastewater into the seepage pits. The design disposal capacity via percolation through each seepage pit is 3.07 gallons per day per square foot of pit walls, which translates to 2,605 gallons per day combined for all of the designed seepage pits.
11. Only wastewater generated from washing machines will be discharged into the disposal system and regulated by this Order. Domestic sewage from the restrooms will be discharged to a separate, existing onsite wastewater treatment system that was permitted by the City of Twentynine Palms.
12. The Discharger identified that the design effluent parameters for the concentration of Total Dissolved Solids (TDS) is in the range of 300-1000 milligrams per Liter (mg/L) and of Methylene Blue Active Substances (MBAS) is 55 mg/L.
13. The Discharger has reserved areas of sufficient size for possible future 100% replacement of the seepage pits. The Discharger intends to begin discharging wastewater into the proposed Twentynine Palms sewer system as soon as it becomes available.

#### **Hydrogeologic Conditions**

14. The Facility is located within the City of Twentynine Palms, San Bernardino County in the Mojave Desert. The elevation ranges from 1,800 feet to 4,500 feet above sea level within the vicinity of the Facility, but the site is at approximately 1,900 feet above sea level.
15. The Facility is located within the Morongo Valley Groundwater Basin. The soil in the geographical area of the Facility is alluvial fill from the nearby mountains and blow sand. Annual precipitation averages about 4.5 inches in the local area.
16. There are no domestic wells within 200 feet of the Facility. The nearest well is about 1 mile away from the Facility.
17. The depth-to-groundwater is approximately 350 to 400 feet near the Facility.
18. Fresh water will be supplied to the Facility by the Twentynine Palms Water District, which has a TDS characterization of 201 mg/L.

#### **Basin Plan and Related Regulatory Conditions**

19. The Water Quality Control Plan for the Colorado River Basin (Basin Plan), which was adopted on November 17, 1993 and amended on March 7, 2017, designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Pursuant to Water Code section 13263, subdivision (a), waste discharge requirements must implement the Basin Plan and take into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of Water Code section 13241.

20. The Facility is located within the Dale Hydrologic Unit, and the Basin Plan designates the following beneficial uses for groundwater:
- a) Municipal Supply (MUN),
  - b) Industrial Supply (IND), and
  - c) Agricultural Supply (AGR).
21. This Order establishes WDRs pursuant to division 7, chapter 4, article 4 of the Water Code (for discharges that are not subject to regulation under Clean Water Act section 402 (33 U.S.C. § 1342)). These WDRs implement narrative and numeric water quality objectives for ground and surface waters established by the Basin Plan.
22. The numeric objectives for groundwater designated for municipal and domestic supply (MUN) are the maximum contaminant levels (MCLs) and bacteriological limits specified in California Code of Regulations, title 22, section 64421 et seq. The Basin Plan states that groundwater for use as domestic or municipal water supply must not contain taste or odor-producing substances in concentrations that adversely affect beneficial uses as a result of human activity.
23. It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes that policy by requiring discharges to meet MCLs designed to protect human health and ensure that water is safe for domestic use.
24. Water Code section 13267 authorizes the Colorado River Basin Water Board to require technical and monitoring reports. The Monitoring and Reporting Program (MRP) establishes monitoring and reporting requirements to implement state requirements and demonstrate compliance with the Order. The State Water Resources Control Board's (State Water Board) electronic database, GeoTracker Information Systems, facilitates the submittal and review of facility correspondence, discharger requests, and monitoring and reporting data. The burden, including costs, of this MRP bears a reasonable relationship to the need for that information and the benefits to be obtained from that information.
25. Pursuant to Water Code section 13263, subdivision (g), the discharge of waste is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge.

### **Antidegradation Analysis**

26. State Water Board Resolution 68-16, entitled *Statement of Policy with Respect to Maintaining High Quality Waters in California* (Resolution 68-16), generally prohibits the Colorado River Basin Water Board from authorizing discharges that will result in the degradation of high-quality waters, unless it is demonstrated that any change in water quality will (a) be consistent with maximum benefit to the people of the state, (b) not unreasonably affect beneficial uses, and (c) not result in water quality less than that prescribed in state and regional policies (e.g., the violation of one or more water quality objectives). The discharger must also employ best practicable treatment or control (BPTC) to minimize the degradation of high-quality waters.
27. Some degradation of groundwater from the discharge to the seepage pits is consistent with Resolution 68-16, provided that this degradation:

- a) Is confined to a reasonable area;
  - b) Is minimized by means of full implementation, regular maintenance, and optimal operation of BPTC measures;
  - c) Is limited to waste constituents typically encountered in laundromat wastewater; and does not result in water quality less than that prescribed in the applicable basin plan, including violation of any water quality objective.
28. Constituents in laundromat effluent that present the greatest risk to groundwater quality are MBAS and TDS. No regulation currently exists to limit the discharge of MBAS to groundwater. However, the Facility, seepage pits, and soils beneath the disposal area are not likely to prevent some groundwater degradation by TDS. Therefore, degradation to groundwater, if any, should be limited to the area underlying the disposal areas and to salinity constituents.
29. The estimated incremental addition of dissolved salts in the Laundromat wastewater from the Facility is about 250 mg/L above the municipal water supply, based on past monitoring data provided by nearby laundromats. A limitation of 600 mg/L for TDS in effluent, which is more stringent than the TDS recommended upper level prescribed by title 22 of the California Code of Regulations, limits salt degradation to a reasonable amount and reasonably protects present and anticipated future uses for groundwater beneath the seepage pits.
30. The discharge of wastewater from the Facility, as permitted herein, reflects best practicable treatment and control. The controls ensure the discharge does not create a condition of pollution or nuisance, and that the highest water quality defined by the physical and chemical nature of the local groundwater will be maintained, which is consistent with the antidegradation provisions of Resolution 68-16. To comply with Resolution 68-16, the Discharger proposes to:
- a) Construct seepage pits at appropriate locations and depths to ensure wastewater does not adversely impact underlying groundwater;
  - b) Locate subsurface disposal systems, including wastewater discharged, a minimum of 150 feet from water wells;
  - c) Reserve sufficient land for future replacement of all seepage pits;
  - d) Ensure site operating personnel are familiar with the contents of this Order, and proper operation and maintenance of the disposal system.
  - e) Begin discharging septic wastewater into the City of Twentynine Palms sewer system as soon as it becomes available.
31. The Laundromat provides a valuable service to the community and contributes to the economy in the area. This factor and the associated increase in TDS are consistent with maximum benefit to the people of the state. Accordingly, the discharge as authorized is consistent with the antidegradation provisions of Resolution 68-16.

#### **CEQA and Public Participation**

32. The Colorado River Basin Water Board has determined that the issuance of these WDRs is exempt from review under California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) pursuant to California Code of Regulations, title 14, section 15061. Specifically, the issuance of this Order and the project described herein meet the exemption

criteria under California Code of Regulations, title 14, section 15332, because the project involves an infill development within the City of Twentynine Palms. Additionally, the Colorado River Basin Water Board concludes that no exceptions to the CEQA exemptions listed above apply to the activities approved by this Order.

33. The Colorado River Basin Water Board will file a Notice of Exemption with the State Clearinghouse within five (5) working days from the issuance of this Order. (Cal. Code Regs., tit. 14, section 15062.)
34. The Colorado River Basin Water Board has notified the Discharger and all known interested agencies and persons of its intent to update waste discharge requirements for this discharge, and has provided them with an opportunity for a public meeting and to submit comments.
35. The Colorado River Basin Water Board, in a public meeting, heard and considered all comments pertaining to this discharge.

**IT IS HEREBY ORDERED**, that in order to meet the provisions contained in division 7 of the Water Code and regulations adopted thereunder, the Discharger shall comply with the following:

**A. Effluent Limitations**

1. Wastewater discharged from the Facility shall not exceed 2,605 gallons per day (gpd).
2. Wastewater which has a total dissolved solids (TDS) concentration greater than 600 mg/L may not be discharged to the seepage pits. Wastewater which has a TDS concentration greater than 600 mg/L shall be discharged only to an appropriate waste management facility as approved by the Colorado River Basin Water Board's Executive Officer.

**B. Discharge Prohibitions**

1. Discharge of waste classified as "hazardous," as defined in California Code of Regulations, title 27, section 20164, or "designated," as defined in Water Code section 13173 and California Code of Regulations, title 27, section 20164, is prohibited.
2. The discharge of wastewater to surface water or surface drainage courses is prohibited.
3. Bypass or overflow of untreated or partially-treated wastewater is prohibited.
4. Discharge of wastewater at a location or in a manner different from that described in this Order is prohibited.
5. Discharge of wastewater in excess of the design capacity of the disposal system is prohibited.
6. The discharge of waste to land not owned by the Discharger, or not authorized for such use, is prohibited.
7. The discharge of waste containing carcinogenic or reproductive toxins listed by the Governor pursuant to the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65), Health and Safety Code sections 25249.5 et seq., where such chemicals may pass into a source of drinking water, is prohibited.

8. The storage, treatment, or disposal of wastes from the Facility shall not cause contamination, pollution, or nuisance as defined in section 13050, subdivisions (k), (l), and (m) of the Water Code.
9. When a sewer collection system becomes available in the City of Twentynine Palms, wastewater from the Facility governed by this Order is prohibited.

### **C. Discharge Specifications**

1. No wastewater other than laundromat wastewater shall be discharged into the wastewater disposal system.
2. Septic tank cleanings shall be discharged only by a duly-authorized service. Any off-site disposal of septage shall be only to a legal point of disposal, with the approval of the legal disposal site operator. For purposes of these requirements, a legal disposal site is one for which requirements have been established by the Colorado River Basin Water Board and which is in full compliance therewith. All laundromat wastes and septage shall be disposed of in a manner approved by the Colorado River Basin Water Board's Executive Officer.
3. Wastewater discharged to the subsurface shall be retained underground with no surfacing.
4. Adequate measures shall be taken to ensure that flood or surface drainage waters do not erode or otherwise render portions of the discharge facility inoperable.
5. Odors shall not be perceivable beyond the limits of the individual facility.
6. No part of the subsurface disposal systems shall be closer than 150 feet to any water well or closer than 100 feet to any stream, channel, or other watercourse.
7. Seepage pits shall be constructed at appropriate locations and depths to ensure wastewater does not adversely impact aquifers designated for municipal, agricultural, or industrial beneficial use.
8. No part of the disposal systems shall extend to a depth where waste may deleteriously affect an aquifer that is useable for domestic, agricultural or industrial purposes. In no case may the disposal systems extend to within 10 feet of the zone of historic or anticipated high groundwater levels unless otherwise approved by the Colorado River Basin Water Board's Executive Officer. Furthermore, the disposal system shall not lie immediately above fractured or impermeable bedrock.
9. Sufficient land area shall be reserved for possible future 100% replacement of the seepage pits, until such time as the Facility is connected to a municipal sewerage system.

### **D. Technical Reports**

1. By March 10, 2019, the Discharger shall provide an inventory of all hazardous materials that will be handled at the Facility.

### **E. Standard Provisions**

1. **Noncompliance.** The Discharger shall comply with all of the conditions of this Order. Noncompliance is a violation of the Porter-Cologne Water Quality Control Act (Water Code, § 13000 et seq.) and grounds for: (1) an enforcement action; (2) termination,

revocation and reissuance, or modification of these waste discharge requirements; or (3) denial of an Order renewal application.

2. **Monitoring and Reporting Program.** The Discharger shall comply with Monitoring and Reporting Program R7-2019-0008 and future revisions thereto, as specified by the Colorado River Basin Water Board's Executive Officer.
3. **Enforcement.** The Colorado River Basin Water Board reserves the right to take any enforcement action authorized by law. Accordingly, failure to timely comply with any provisions of this Order may subject the Discharger to enforcement action. Such actions include, but are not limited to, the assessment of administrative civil liability pursuant to Water Code sections 13323, 13268, and 13350, a Time Schedule Order (TSO) issued pursuant to Water Code section 13308, or referral to the California Attorney General for recovery of judicial civil liability.
4. **Proper Operation and Maintenance.** The Discharger shall at all times properly operate and maintain all systems and components of collection, treatment, and control, installed or used by the Discharger to achieve compliance with this Order. Proper operation and maintenance includes, but is not limited to, effective performance, adequate process controls, and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities/systems when necessary to achieve compliance with this Order. All systems in service or reserved shall be inspected and maintained on a regular basis. Records of inspections and maintenance shall be retained, and made available to the Colorado River Basin Water Board on request.
5. **Reporting of Noncompliance.** The Discharger shall report any noncompliance that may endanger human health or the environment. Information shall be provided orally to the Colorado River Basin Water Board office and the Office of Emergency Services within twenty-four (24) hours of when the Discharger becomes aware of the incident. If noncompliance occurs outside of business hours, Discharger shall leave a message on the Colorado River Basin Water Board's office voicemail. A written report shall also be provided within five (5) business days of the time the Discharger becomes aware of the incident. The written report shall contain a description of the noncompliance and its cause, the period of noncompliance, the anticipated time to achieve full compliance, and the steps taken or planned, to reduce, eliminate, and prevent recurrence of the noncompliance.
6. **Duty to Mitigate.** The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment.
7. **Material Changes.** Prior to any modifications which would result in any material change in the quality or quantity of wastewater treated or discharged, or any material change in the location of discharge, the Discharger shall report all pertinent information in writing to the Colorado River Basin Water Board, and if required by the Colorado River Basin Water Board, obtain revised requirements before any modifications are implemented.
8. **Operational Personnel.** The Facility shall be supervised and operated by persons possessing the necessary expertise in the operation and maintenance of laundromat wastewater disposal facilities.

9. **Familiarity with Order.** The Discharger shall ensure that all site-operating personnel are familiar with the content of this Order, and shall maintain a copy of this Order at the site.
10. **Inspection and Entry.** The Discharger shall allow the Colorado River Basin Water Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
  - a. Enter the premises regulated by this Order, or the place where records are kept under the conditions of this Order;
  - b. Have access to and copy, at reasonable times, records kept under the conditions of this Order;
  - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
  - d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Order or as otherwise authorized by the Water Code, any substances or parameters at this location.
11. **Records Retention.** The Discharger shall retain copies of all reports required by this Order and the associated MRP. Records shall be maintained for a minimum of five years from the date of the sample, measurement, report, or application. Records may be maintained electronically. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Colorado River Basin Water Board's Executive Officer.
12. **Change in Ownership.** This Order is not transferable to any person without written approval by the Colorado River Basin Water Board's Executive Officer. Prior to any change in ownership of this operation, the Discharger shall notify the Colorado River Basin Water Board's Executive Officer in writing at least 30 days in advance. The notice must include a written transfer agreement between the existing owner and the new owner. At a minimum, the transfer agreement must contain a specific date for transfer of responsibility for compliance with this Order and an acknowledgment that the new owner or operator is liable for compliance with this Order from the date of transfer. The Colorado River Basin Water Board may require modification or revocation and reissuance of this Order to change the name of the Discharger and incorporate other requirements as may be necessary under the Water Code.
13. **Format of Technical Reports.** The Discharger shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with chapter 30, division 3, title 23 of the California Code of Regulations, as groundwater raw data uploads electronically over the internet into the State Water Board's GeoTracker database, found at: <https://geotracker.waterboards.ca.gov/>. Documents that are normally mailed by the Discharger, such as regulatory documents, narrative technical monitoring program reports, and such reports submissions, materials, data, and correspondence, to the Colorado River Basin Water Board shall also be uploaded into GeoTracker in the appropriate Microsoft software application, such as word, excel, or an Adobe Portable Document Format (PDF) file. Large documents are to be split into manageable file sizes appropriately labelled and uploaded into GeoTracker.
14. **Qualified Professionals.** In accordance with Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be

performed by or under the direction of California registered professionals (i.e., civil engineer, engineering geologist, geologist, etc.) competent and proficient in the fields pertinent to the required activities. All technical reports required under this Order that contain work plans, that describe the conduct of investigations and studies, or that contain technical conclusions and recommendations concerning engineering and geology shall be prepared by or under the direction of appropriately qualified professional(s), even if not explicitly stated. Each technical report submitted by the Discharger shall contain a statement of qualifications of the responsible licensed professional(s) as well as the professional's signature and/or stamp of the seal. Additionally, all field activities are to be conducted under the direct supervision of one or more of these professionals.

15. **Certification Under Penalty of Perjury.** All technical reports required in conjunction with this Order shall include a statement by the Discharger, or an authorized representative of the Discharger, certifying under penalty of perjury under the laws of the State of California, that the reports were prepared under his or her supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluated the information submitted, and that based on his or her inquiry of the person or persons who manage the system, the information submitted is, to the best of his or her knowledge and belief, true, complete, and accurate.
16. **Violation of Law.** This Order does not authorize violation of any federal, state, or local laws or regulations.
17. **Property Rights.** This Order does not convey property rights of any sort, or exclusive privileges, nor does it authorize injury to private property or invasion of personal rights.
18. **Modification, Revocation, Termination.** This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for an Order modification, rescission, or reissuance, or the Discharger's notification of planned changes or anticipated noncompliance, does not stay any Order condition. Causes for modification include, but are not limited to, the violation of any term or condition contained in this Order, a material change in the character, location, or volume of discharge, a change in land application plans or sludge use/disposal practices, or the adoption of new regulations by the State Water Board, Colorado River Basin Water Board (including revisions to the Basin Plan), or federal government.
19. **Severability.** The provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of these requirements shall not be affected.

I, Paula Rasmussen, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on January 10, 2019.

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PAULA RASMUSSEN  
Acting Executive Officer